



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

Memorandum

Date: February 17, 2016

To: Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment

From: Robert Price, Assistant Planner

Subject: **Philip Worster (petitioner/owner)** – Variance under Section 3.02 of the Zoning Ordinance to permit the construction of a 22'x 24' two car garage 12 feet from the front property line whereas 30 feet is required. The parcel is located at 8 Freedom Street in the R (Residential) District. Tax Map 5C, Lot 471. Case # 2016-06.

The following information is provided to aid in your consideration of the above referenced cases. Additional background and application materials are included in your packet.

Background:

Map 5C, Lot 471 is located at 8 Freedom Street in the R (Residential) District. The property is surrounded entirely by other residential uses and is serviced by municipal water and sewer.

The petitioner is seeking a variance to permit the construction of an attached two-car garage within the front setback. In conjunction with this request, the petitioner will be relocating the driveway, which currently comes off Worster Avenue, to come off Freedom Street instead. The Fire Department supports the driveway relocation, especially given that the petitioner's address is currently off Freedom Street. For clarification, only the garage placement requires ZBA action.

Standard of Review:

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variance under Section 3.02 of the Zoning Ordinance have been met to permit the construction of the attached garage 12 feet from the front property line whereas 30 feet is required.

Staff recommends that, should the Board vote to grant the variance, it be granted with the following condition:

- The applicant shall obtain a Right-of-Way Permit from the Public Works Department for the relocated driveway.

Cc: Zoning Board File
Correspondence

Ec: Philip Worster (pkmb122@aol.com)
Fred Kelly, Carol Miner & Leslie Tejada, Building Department
Captain John Manuele, Merrimack Fire Department